

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

YVONNE L. TINES JONES,)
)
Plaintiff,)
)
v.)
)
NORMAN Y. MINETA, Secretary,)
U.S. Department of Transportation,)
)
Defendant.)
)

**CIVIL ACTION
NO. 05-10082-EFH**

**JOINT MOTION TO EXTEND PRE-TRIAL SCHEDULE
DATES BY SIX (6) MONTHS**

Pursuant to Fed. R. Civ. P. 5, the parties hereby *jointly* move that the Court amend the Pre-trial Schedule and extend the dates thereunder by six (6) months. In support of this motion, the parties state as follows:

1. This is an action in which the plaintiff alleges that the Agency discriminated against her in terms, conditions and privileges of employment because of her race, color (black) and national origin (African-American), failed to accommodate her handicap, discriminated against her on the basis of her handicap, and retaliated against her because she complained about discrimination and filed discrimination charges against the Agency. Defendant contends that it did not discriminate or retaliate against the plaintiff.

2. The plaintiff's attorney's office sustained fire damage on November 1, 2005 which damage was repaired on January 31, 2005. Because of the fire, the plaintiff was unable to complete discovery and conduct depositions.

3. The parties have exchanged interrogatories and document requests, and are responding to all outstanding requests.

4. Although the parties have been diligent in proceeding as quickly as possible through the discovery phase, notwithstanding the fire, the parties do not believe that all discovery, including depositions and other third-party discovery, can be completed within the time set forth in the current pre-trial schedule.

5. The parties believe that a six-month extension of the pre-trial schedule dates will permit them to prepare, and possibly resolve, this case in a thorough and orderly fashion.

6. The parties respectfully submit that this case is only thirteen months old, and a six-month Pre-trial Schedule extension will not unduly delay the resolution of this matter and will not prejudice any party.

7. This is the parties' first request for an extension of time in this case.

WHEREFORE, the parties jointly move that the Court amend the Pre-Trial Schedule and extend the dates thereunder by six (6) months as follows:

All discovery completed:	September 15, 2006
All motions under FRCP 56 filed:	December 29, 2006
All oppositions filed by:	January 26, 2007

Respectfully submitted,

YVONNE L. TINES JONES

By her attorney,

/s/Anthony W. Neal
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NORMAN Y. MINETA, Secretary
U.S. Department of Transportation

By their attorney,

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Date: February 17, 2006